

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

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POINTONE CAPITAL LLC,

*Plaintiff,*

-against-

ECLIPSE ADVISORS LLC; BS SOLUTIONS INC;  
MEDICAL MANAGEMENT INSTITUTE INC;  
MITTERE TAX & ADVISORY, LLC; MITTERE, INC;  
3333 OLD MILTON CLINIC, LLC; 3333 OLD  
MILTON HYPERBARIC, LLC; 3333 PHYSICAL  
THERAPY, LLC; ALPHARETTA WEIGHTLOSS &  
COUNSELING, LLC; AM TERMINAL HOLDING,  
LLC; AOA CARES, INC; AOA-AMC, LLC; CITY OF  
ATLANTA FUND, LLC; DTL INVESTMENTS, LLC;  
HST, INC; IBS SOLUTIONS INC.; INNOVATIVE  
BUSINESS PRACTICES, INC; INTELLIGENT  
NETWORK SOLUTIONS, INC; JCFJR HOLDINGS  
LLC; CUREPOINT DUBLIN LLC; CUREPOINT  
HOLDINGS LLC; ATLANTA CUREPOINT CANCER  
DIAGNOSTICS LLC and PHILLIP EDWARD MILES,  
MICHAEL MILES,

*Defendants.*

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Index No.: 6:22-cv-6444

**STIPULATION TO  
DISCONTINUE ACTION  
WITHOUT PREJUDICE**

**STIPULATION OF DISCONTINUANCE**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned attorneys of record for Plaintiff and Defendants in the above captioned-proceeding, that no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party to this proceeding has an interest in the subject matter of the action, the above-entitled action is hereby discontinued, without prejudice, in its entirety, and without costs to any party as against all Defendants, Eclipse Advisors LLC, BS Solutions Inc, Medical Management Institute Inc, Mittere Tax & Advisory, LLC, Mittere, Inc, 3333 Old Milton Clinic, LLC, 3333 Old Milton

Hyperbaric, LLC, 3333 Physical Therapy, LLC, Alpharetta Weightloss & Counseling, LLC, AM Terminal Holding, LLC, AOA Cares, Inc, AOA-AMC, LLC, City of Atlanta Fund, LLC, DTL Investments, LLC, HST, Inc, IBS Solutions Inc, Innovative Business Practices, Inc, Intelligent Network Solutions, Inc, JCFJR Holdings LLC, Curepoint Dublin LLC, Curepoint Holdings LLC, Atlanta Curepoint Cancer Diagnostis LLC and Phillip Edward Miles and Michael Miles.

This Stipulation may be filed with the Clerk of the Court without further notice.

Dated: November 16, 2022

**WELLS LAW P.C.**  
*Attorneys for Plaintiff*

**WHITE AND WILLIAMS LLP**  
*Attorneys for Defendants*

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